

**FILED**

**MAR 25 2014**

Clerk, U.S. District Court  
District Of Montana  
Missoula

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JORDAN LINN GRAHAM,

Defendant.

CR 13-37-M-DWM

ORDER

Sentencing in this matter is set for March 27, 2014. Pursuant to 18 U.S.C. § 3553(a)(6), the factors which the Court shall consider in determining the particular sentence to be imposed include “the need to avoid unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct.” In consideration of this factor, the Court has reviewed the facts and circumstances of the following District of Montana cases: *United States v. Chandler*, CR 04-113-BLG-RFC (guideline calculation: 168-210 months, disposition: 210 months with 5 years supervised release); *United States v. Rising*

*Sun*, CR 05-61-BLG-RFC (guideline calculation: 168-210 months, disposition: Life); *United States v. Sandcrane*, CR 08-101-BLG-RFC (guideline calculation 292-365, disposition: 540 months with 5 years supervised release); *United States v. Goodbear*, CR 08-132-BLG-RFC (guideline range: 360 months-life, disposition: Life); *United States v. Heavy Runner*, CR 12-17-GF-SEH (guideline range: 168-210 months, disposition: 210 months with 5 years supervised release); *United States v. Muskrat*, CR 13-35-GF-DLC (guideline range: 168-210 months, disposition: 210 months with 4 years supervised release), *United States v. Leider*, CR 13-11-BLG-DWM (guideline range: 210-262 months, disposition: 262 months); and *United States v. Eagleman, Jr.*, CR 12-32-BLG-SEH (guideline range: 324-405 months, disposition: 405 months with 5 years supervised release).

The Court has also reviewed the Federal sentencing statistics compiled by the United States Sentencing Commission for Fiscal Year 2012.<sup>1</sup> According to the Sentencing Commission, the length of imprisonment for the primary offense of murder<sup>2</sup> was: (1) nationally: 252 mean months and 216 median months, (2) in the Ninth Circuit: 259 mean months and 235 median months, and (3) in the District of

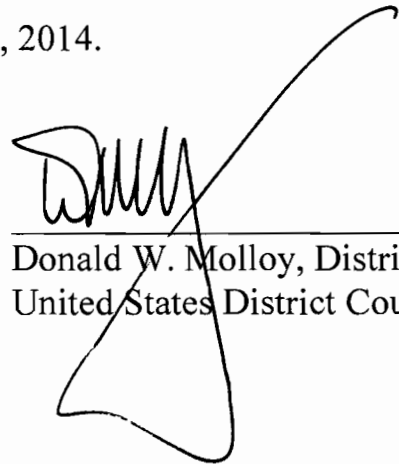
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<sup>1</sup> Available at [http://www.ussc.gov/Data\\_and\\_Statistics/Federal\\_Sentencing\\_Statistics/State\\_District\\_Circuit/2012/index.cfm](http://www.ussc.gov/Data_and_Statistics/Federal_Sentencing_Statistics/State_District_Circuit/2012/index.cfm).

<sup>2</sup> These statistics do not distinguish between first degree and second degree.

Montana: 212 mean months and 210 median months.<sup>3</sup>

Dated this 15<sup>th</sup> day of March, 2014.



Donald W. Molloy, District Judge  
United States District Court

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<sup>3</sup> *Statistical Information Packet*, Fiscal Year 2012, District of Montana, “Table 7: Length of Imprisonment by Primary Offense Category”; *Statistical Information Packet*, Fiscal Year 2012, Ninth Circuit, “Table 7: Length of Imprisonment by Primary Offense Category.”